



**US Army Corps
of Engineers**
Portland District

PUBLIC NOTICE

Issue Date: February 25, 2003

Expiration Date: March 26, 2003

Corps of Engineers Action ID: 2002-00828

30-Day Notice

Oregon Division of State Lands Number:

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

Comments: Comments on the described work should reference the U.S. Army Corps of Engineers number shown above and should reach this office no later than the above expiration date of this Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
Eugene Field Office
ATTN: CENWP-OP-GE (Attn: Michele Hanson)
1600 Executive Parkway, Suite 210
Eugene, Oregon 97401

Applicant: LTM, Inc. DBA Umpqua River Navigation.
P.O. Box 25
255 First Street
Reedsport, Oregon 97467

Location: Umpqua River, Miles 18 to 25, in Douglas County, between Reedsport and Scottsburg, Oregon.

Project Description: LMT is requesting a six-year permit to dredge up to 400,000 cubic yards of sand and gravel annually from the Umpqua River. The material would be removed by barge-mounted clamshell dredge.

LMT is proposing variable setback widths from the adjoining banklines, ranging from 0 to 200 feet, within which dredging would not occur. Setback distance from bedrock banks would be 0 and 150 feet from alluvial banks or islands. The proposed post-mining sideslopes would be 0.5:1 near a bedrock shoreline and 3:1 near an alluvial shoreline or an island.

Setbacks would also be established from the mouths of the larger tributaries. The setback from the confluence of a large tributary would be 200 feet from the shoreline and 300 feet upstream and downstream from the confluence. There are four (4) main tributary with the affected reaches: 1) The mouth of Harvey Creek near River Mile (RM) 19, 2) Franklin Creek, near RM 21, 3) Indian Creek, near RM 21 and, 4) Mill Creek near RM 24.

The applicant is proposing to dredge to an average depth of -35 feet National Geodetic Vertical Datum (NGVD), not to exceed a maximum depth of -40 feet NGVD. The post-mining channel sideslopes would be established at a minimum of 3:1 to maintain adjacent bank and island stability, according to the applicant.

To monitor for potential changes in riverbed and bank stability, the applicant has proposed to establish fixed vertical reference (NGVD) monitoring cross sections throughout the project area. The sites would be numbered sequentially from approximately RM 17 through RM 27. Refer to Sheet 2 of 12 in the attached

drawings. All sites would be measured on the same day on a biannual basis (April 15 and October 15) over the life of the project. In addition, cross sectional data would continue to be collected within previously permitted (1996-00128) dredge sites including 500 feet upstream and downstream of each site. Data would be collected utilizing HYPAC Hydrographic Survey Software, and data collector and sounding equipment fitted with a Global Positioning System (GPS). Cross sections would reference a benchmark set by the Office of the Douglas County Surveyor (Station U-84) located 150 feet East of the access road to Brandy Bar Island (Township 22 South, Range 11 West, Section 3, W.M.) and 100 feet north from the centerline of Highway 38.

To assess for biological changes, the applicant would develop a biological monitoring program that includes macroinvertebrate sampling, with assistance from the Oregon Department of Fish and Wildlife. The applicant has proposed a turbidity monitoring plan, pending approval from the Oregon Department of Environmental Quality in an effort to meet Section 401 Water Quality certification requirements. A spill containment and prevention plan would also be developed.

Permit History: In September 1998, a Department of the Army (DA) permit (1996-00128) was issued authorizing dredging between river miles 20-25 of the Umpqua River. The permit was issued to Umpqua River Navigation, which is now part of LTM, Inc.

Purpose: To obtain sand and gravel for subsequent sale to the general public for commercial purposes and to government agencies for road and other infrastructure projects.

Drawing(s): Twelve (12) drawings labeled 2002-00828 Umpqua River Navigation are attached.

Additional Information: Additional information may be obtained from the Corps of Engineers, Eugene Field Office, Michele Hanson, at the above address or telephone at 541-465-6868.

Authority: This permit will be issued or denied under the following:

Section 10, Rivers and Harbors Act 1899 (33 U.S.C. 403), for work in or affecting navigable waters of the United States.

Section 404, Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

Water Quality Certification: A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Attached is the state's notice advertising the request for certification.

Section 404(b)(1) Evaluation: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act.

Coastal Zone Management Act Certification: A permit for the described work will not be issued until the state has concurred with the applicant's certification that the described activity affecting land or water uses in the Coastal Zone complies with the State Coastal Zone Management Program. Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3) requires the applicant to provide a Certification of Consistency statement. If the state fails to concur or object to the certification statement within six months, state concurrence shall be conclusively presumed. Attached to this Public Notice is a notice of application for Certification of Consistency with the State's Coastal Zone Management Program.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Endangered Species: Preliminary determinations indicate that the proposed activity may affect an endangered or threatened species or its critical habitat. Consultation under Section 7 of the Endangered Species Act of 1973 (87 Stat. 844) will be initiated. A permit for the proposed activity will not be issued until the consultation process is completed.

Essential Fish Habitat: Preliminary determinations indicate that the proposed activity may affect Essential Fish Habitat for groundfish, coastal pelagic, coho and Chinook salmon. Consultation under Section 305 of the Magnuson Stevens Act will be initiated. A permit for the proposed activity will not be issued until the consultation process is completed.

Cultural Resources: The described activity is not located on property registered or eligible for registration in the latest published version of the National Register of Historic Places. This notice has been provided to the State Historic Preservation Office.

Evaluation: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Additional Requirements: State law requires that leases, easements, or permits be obtained for certain works or activity in the described waters. These State requirements must be met, where applicable, and a Department of the Army permit must be obtained before any work within the applicable Statutory Authority, previously indicated, may be accomplished. Other local governmental agencies may also have ordinances or requirements, which must be satisfied before the work is accomplished.

PUBLIC NOTICE

Oregon Department of Environmental Quality

Water Quality 401 Certification

Corps of Engineers Action ID Number: 2002-00828

Oregon Division of State Lands Number:

Notice Issued: February 25, 2003

Written Comments Due: March 26, 2003

WHO IS THE APPLICANT: LTM, Inc. DBA Umpqua River Navigation

LOCATION OF CERTIFICATION ACTIVITY: See attached U.S. Army Corps of Engineers public notice.

WHAT IS PROPOSED: See attached U.S. Army Corps of Engineers public notice on the proposed project.

NEED FOR CERTIFICATION: Section 401 of the Federal Clean Water Act requires applicants for Federal permits or licenses to provide the Federal agency a water quality certification from the State of Oregon if the proposed activity may result in a discharge to surface waters.

DESCRIPTION OF DISCHARGES: See attached U.S. Army Corps of Engineers public notice on the proposed project.

WHERE TO FIND DOCUMENTS: Documents and related material are available for examination and copying at Oregon Department of Environmental Quality, Water Quality Division, 811 S.W. 6th Avenue, Portland, Oregon 97204.

While not required, scheduling an appointment will ensure documents are readily accessible during your visit. To schedule an appointment please call Alice Kavajecz at (503) 229-6962.

Any questions on the proposed certification may be addressed to the 401 Program Coordinator, (503) 229-5845 or toll free within Oregon at 1-800-452-4011. People with hearing impairments may call DEQ's TTY at (503) 229-6993.

PUBLIC PARTICIPATION:

Public Hearing: Oregon Administrative Rule (OAR) 340-48-0020 (6) states that "The Director shall provide an opportunity for the applicant, any affected state, or any interested agency, person, or group of persons to request or petition for a public hearing with respect to certification applications. If the Director determines that new information may be produced thereby, a public hearing will be held prior to the Director's final determination. Instances of doubt shall be resolved in favor of holding the hearing. There shall be public notice of such a hearing."

Written comments:

Written comments on the proposed certification must be received at the Oregon Department of Environmental Quality by 5 p.m. on (full date). Written comments should be mailed to Oregon Department of Environmental Quality, Attn: 401 Program Coordinator, 811 S.W. 6th Avenue, Portland, Oregon 97204. ***People wishing to send written comments via e-mail should be aware that if there is a delay between servers or if a server is not functioning properly, e-mails may not be received prior to the close of the public comment period.*** People wishing to send comments via e-mail should send them in Microsoft Word (through version 7.0), WordPerfect (through version 6.x) or plain text format. Otherwise, due to conversion difficulties, DEQ recommends that comments be sent in hard copy.

WHAT HAPPENS NEXT: DEQ will review and consider all comments received during the public comment period. Following this review, the permit may be issued as proposed, modified, or denied. You will be notified of DEQ's final decision if you present either oral or written comments during the comment period. Otherwise, if you wish to receive notification, please call or write DEQ at the above address.

ACCESSIBILITY INFORMATION: This publication is available in alternate format (e.g. large print, Braille) upon request. Please contact DEQ Public Affairs at (503) 229-5766 or toll free within Oregon at 1-800-452-4011 to request an alternate format. People with a hearing impairment can receive help by calling DEQ's TTY at (503) 229-6993.

PUBLIC NOTICE

OREGON COASTAL MANAGEMENT PROGRAM

CONSISTENCY CERTIFICATION

Date: February 25, 2003

Corps of Engineers Action ID Number: 2002-00828

Oregon Division of State Lands Number:

Notification

For projects subject to coastal zone review, notice is hereby given that the project is being reviewed by the Department of Land Conservation and Development (DLCD) as provided in Section 307(c) of the Coastal Zone Management Act. The applicant believes that the activities described in the attached materials would comply with and be conducted in a manner consistent with the Oregon Coastal Management Program. Project information can be made available for inspection at DLCD's Salem office.

DLCD is hereby soliciting public comments on the proposed project's consistency with the Oregon Coastal Management Program. Written comments may be submitted to DLCD, 635 Capital St. NE, Suite 200, Salem, OR 97301-2540, attention consistency review specialist. Any comments must be received by DLCD on or before the comment deadline listed in the federal notice. For further information, you may call DLCD at (503) 373-0050, ext. 250.

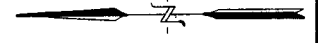
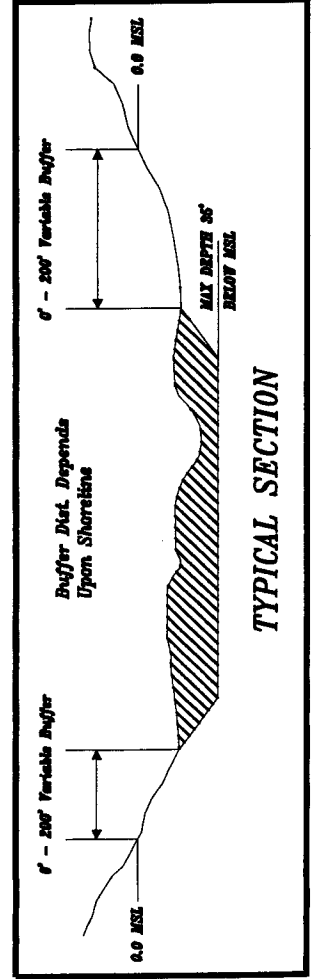
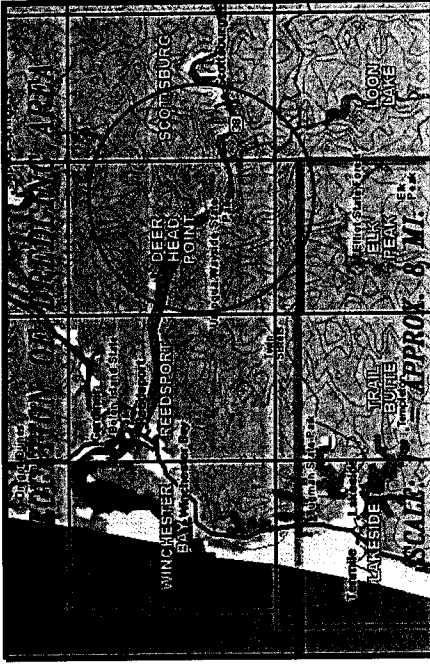
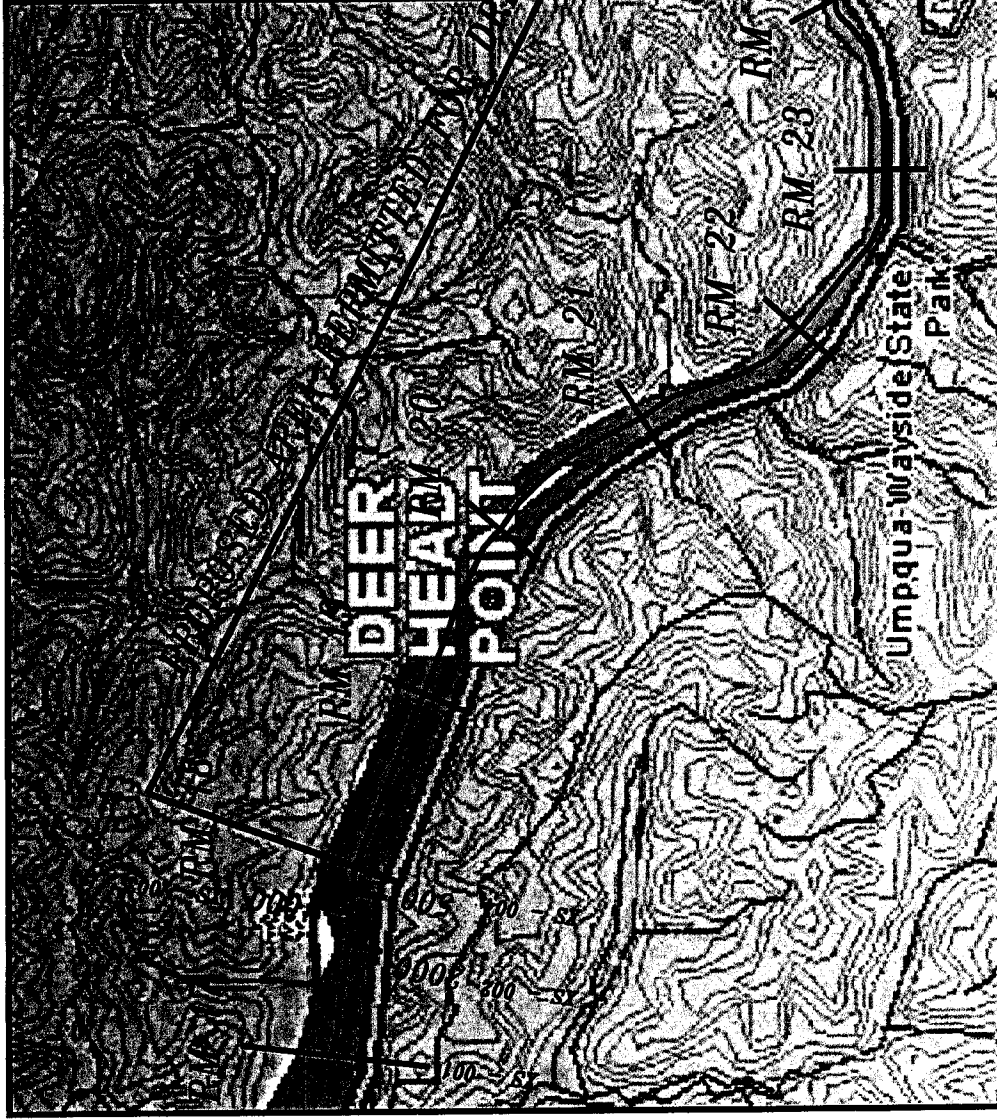
REVIEW CRITERIA

Comments should address consistency with the applicable elements of the Oregon Coastal Management Program. These elements include:

- . Acknowledged Local Comprehensive Plans & Implementing Ordinances
- . Statewide Planning Goals
- . Applicable State Authorities (e.g. Removal-Fill Law and Oregon Water Quality Standards)

INCONSISTENT?

If you believe this project is inconsistent with the Oregon Coastal Management Program, your comments to DLCD should explain why you believe the project is inconsistent and should identify the Oregon Coastal Management Program element(s) in question. You should also describe how the project could be modified, if possible, to make it consistent with the Oregon Coastal Management Program.



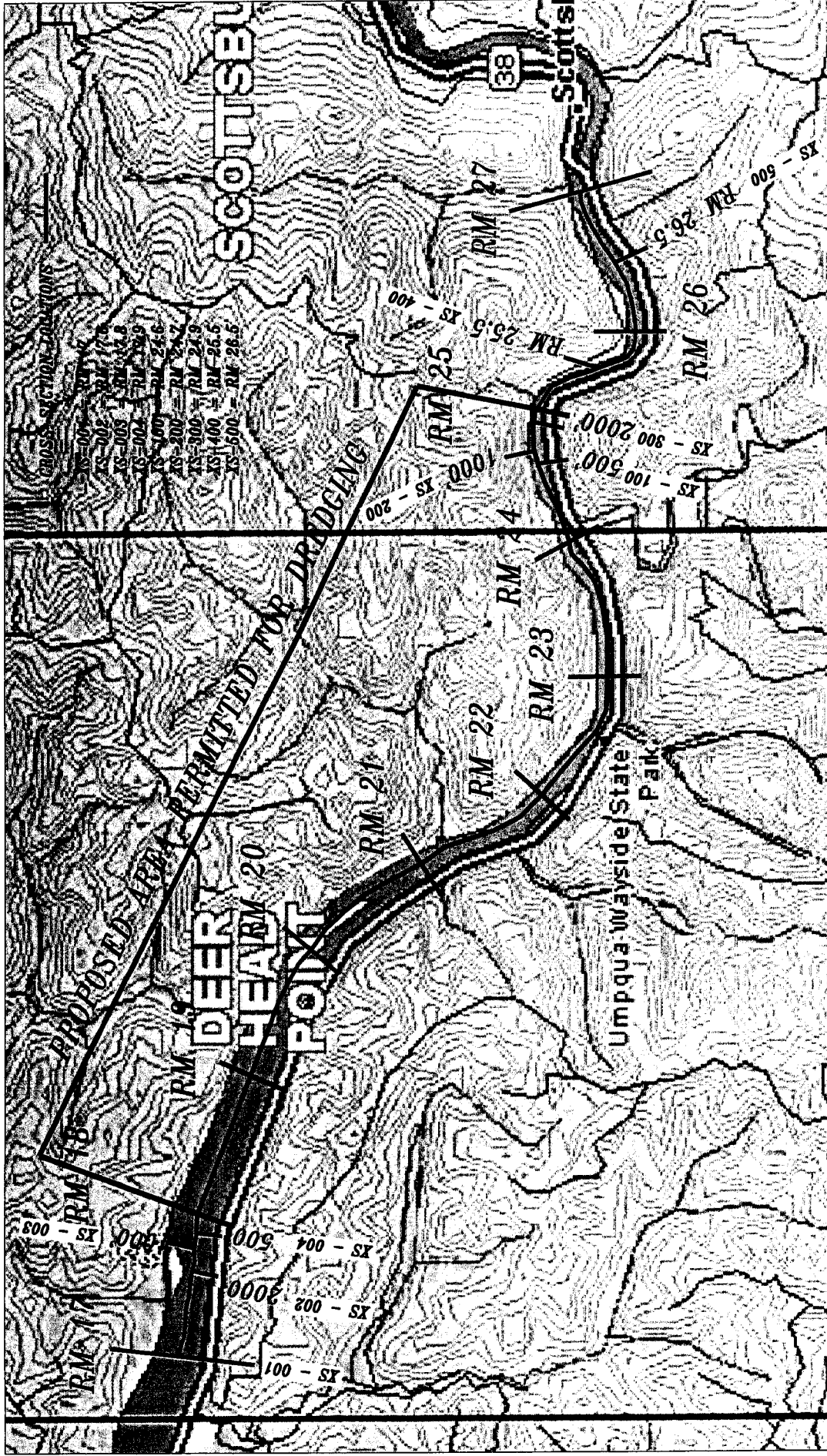
Knife River Corp.
A subsidiary of MDU Resources Group, Inc.

LTM-COAST

PLANNING MAP

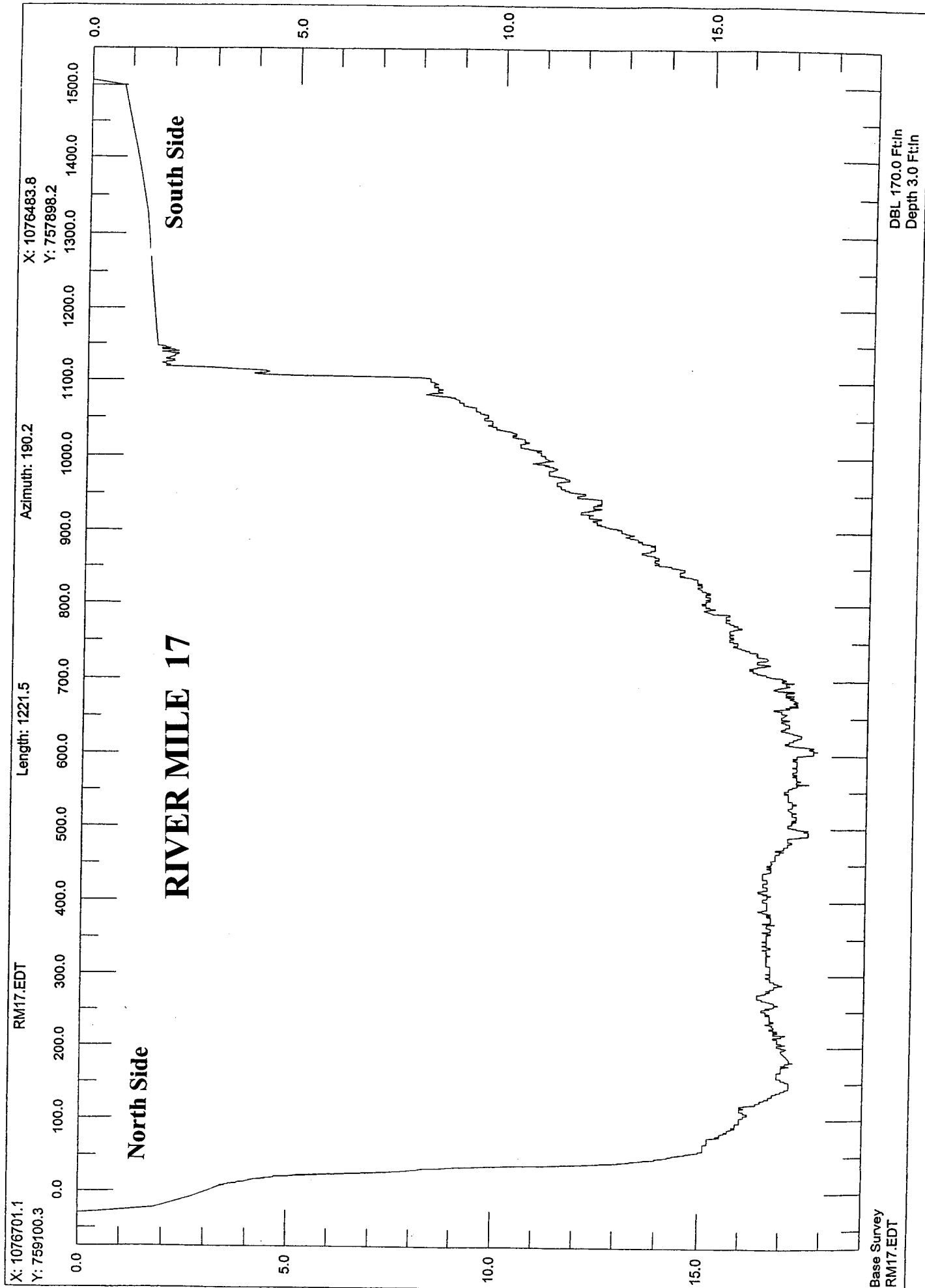
REVISED	DATE	NAME
11/24/00	11/21/00	J. BLONBERG
1/14/00	11/21/00	M. POLE
FILENAME: River-1yp Cross Section Q-17-035		

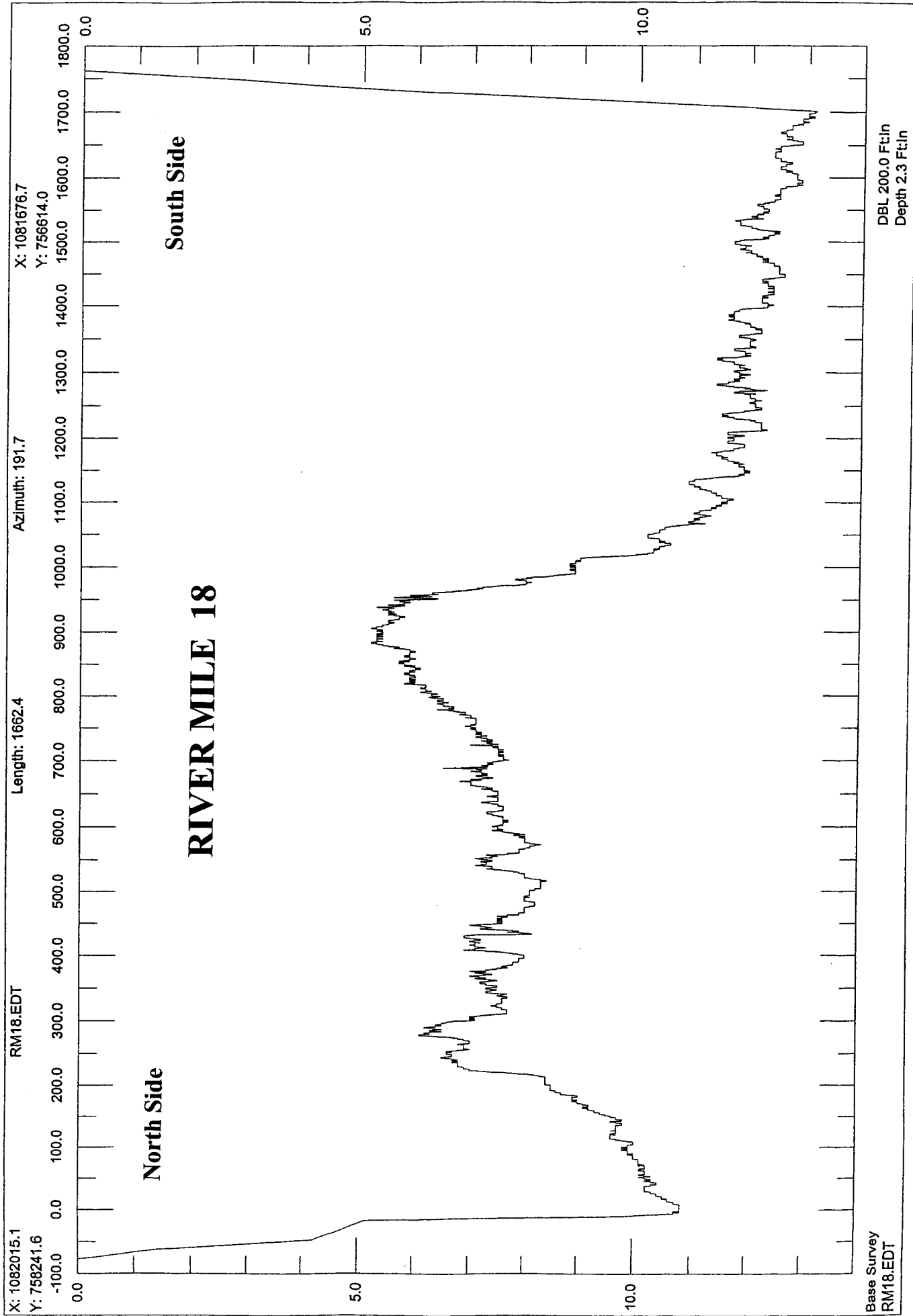
PROPOSED CROSS-SECTION LOCATION MAP



SCALE: 1" = Approx. 1 Mile

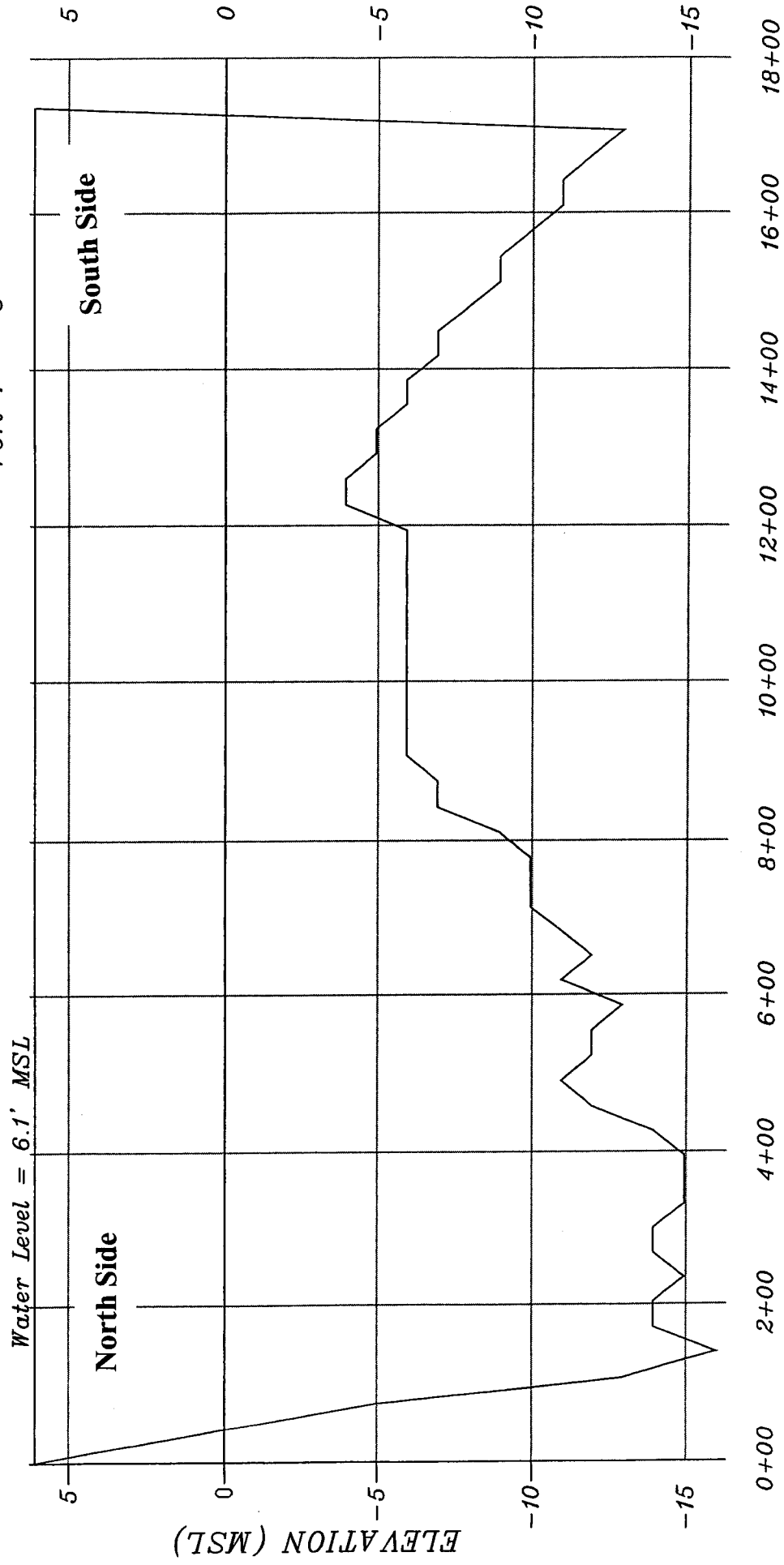
		Knife River Corp.	
A subsidiary of MDU Resources Group, Inc.			
LTM-COAST			
PROPOSED CROSS-SECTIONS			
EXHIBIT VI			
REVISED	DATE	NAME	
06/29/02	07/29/02	J. BLONBERG	
11/04/02	07/29/02	M. POLE	
01/10/03			
FILENAME		Umpqua_River_Braining8-5-02.dwg	

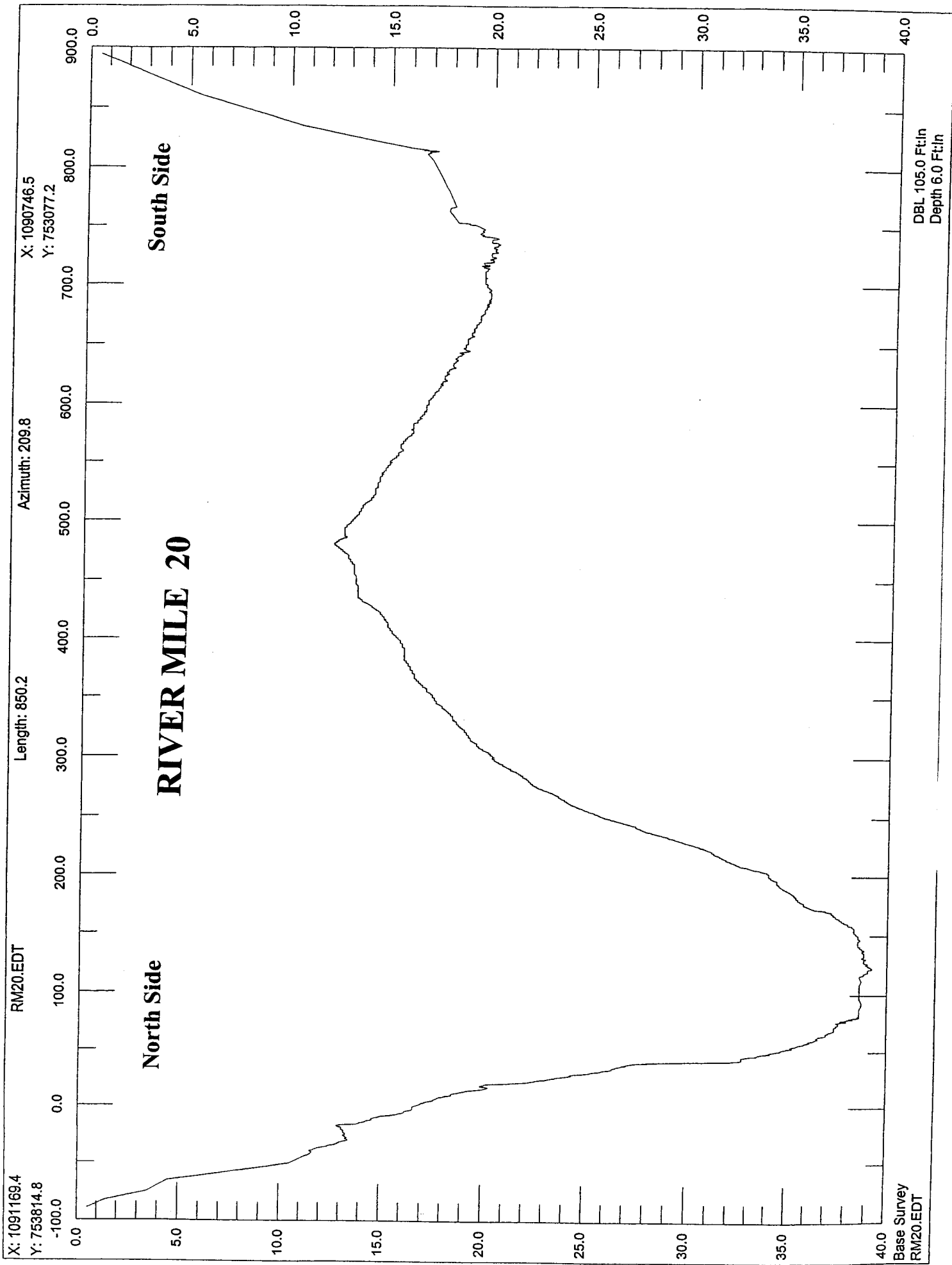


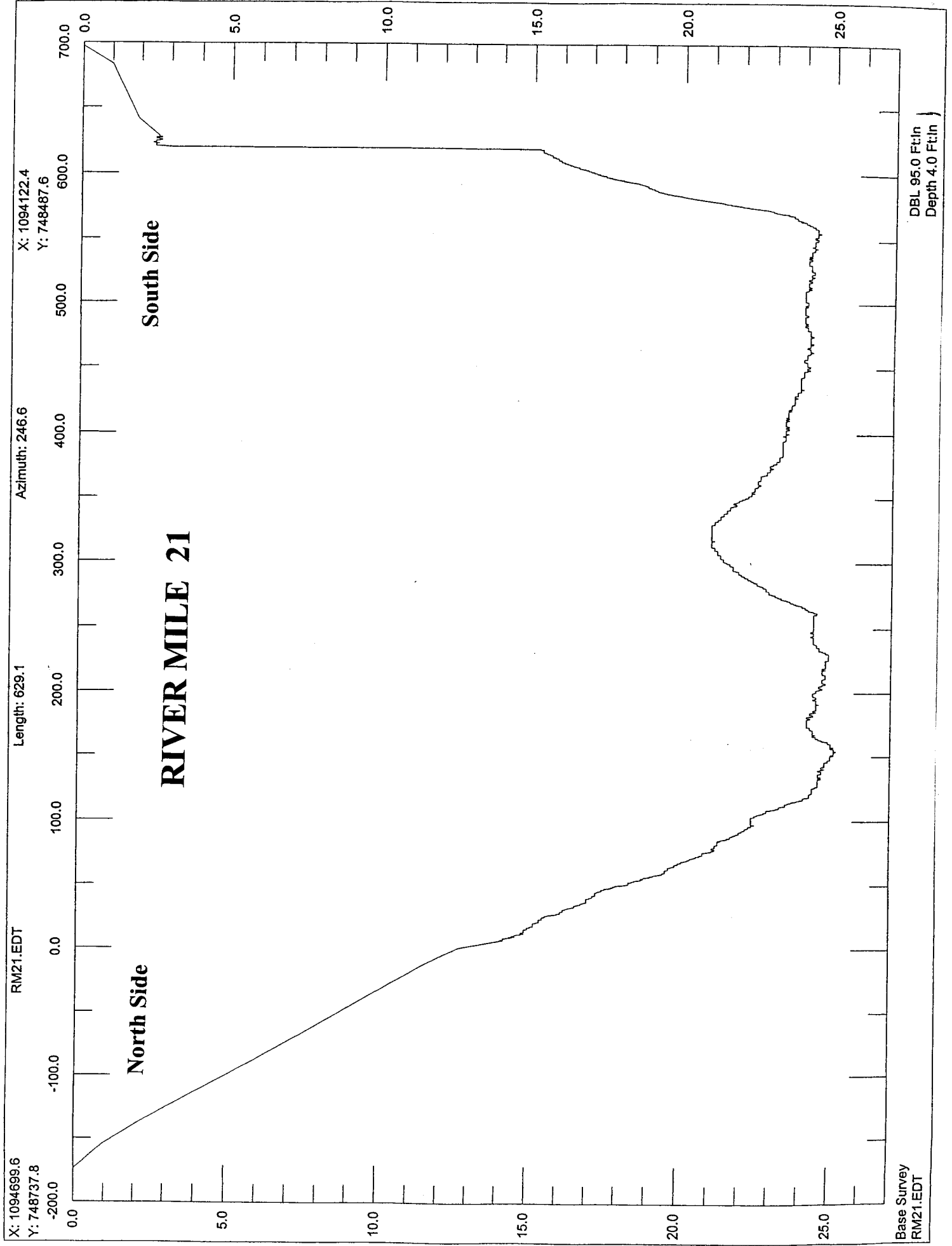


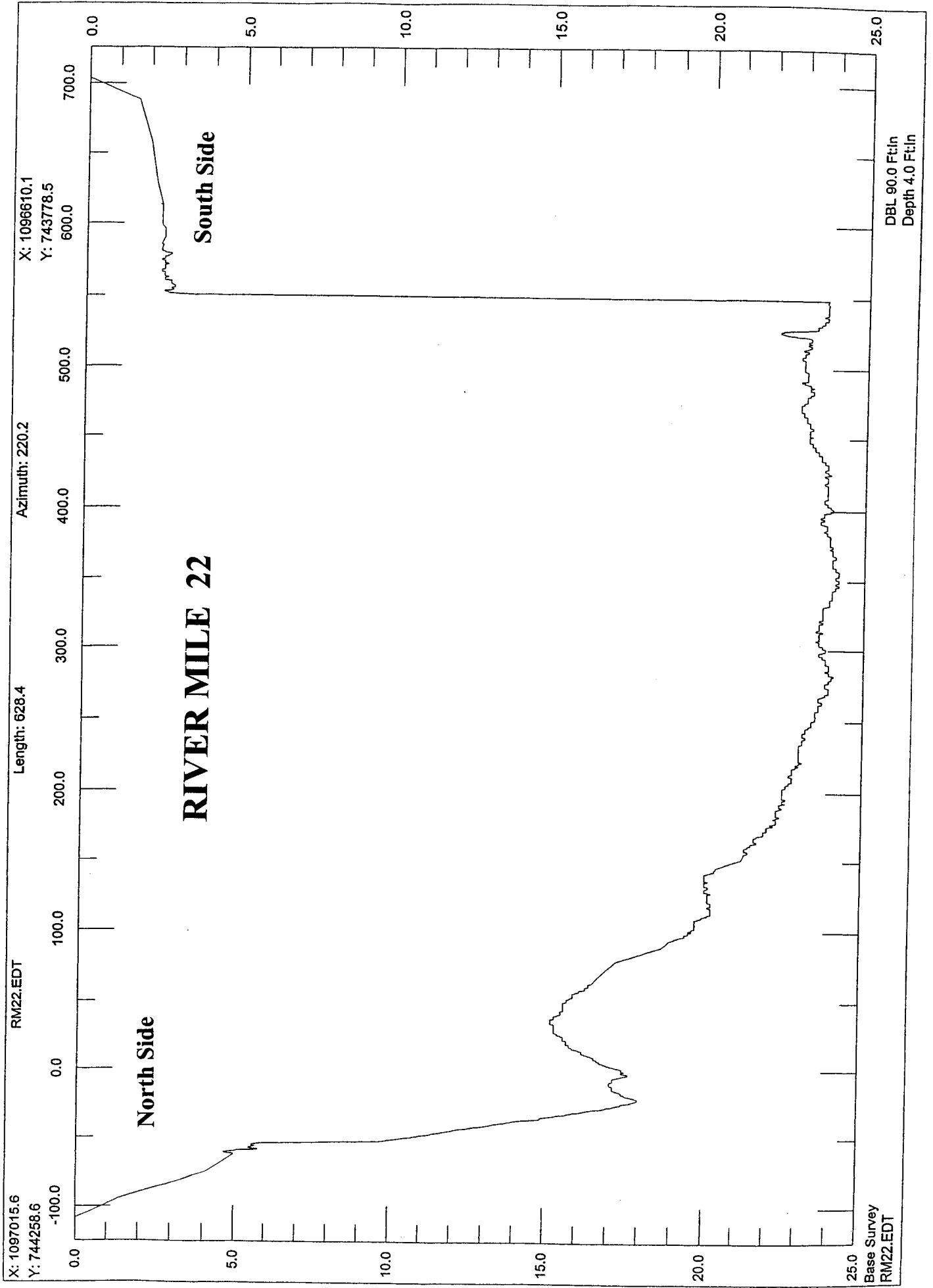
RIVER MILE 19

SCALE: Hor. 1" = 200'
Vert 1" = 5'









RIVER MILE 23

SCALE: Hor. 1" = 75'
Vert 1" = 10'

